IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

OP.No. 29826 of 2000(A)

PETITIONER:

SMT. PADMAJA VENUGOPAL, "PADMASREE", SOUTH BRIDGE,
AVENUE ROAD, PANAMPILLI NAGAR, ERNAKULAM,
KOCHI 36

BY ADV. SRI.JOHN VARGHESE

RESPONDENTS:
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1. ADDITIONAL SALES TAX OFFICER, SECOND CIRCLE, KALAMASSERY,
PALARIVATTOM, KOCHI 25

2. REGIONAL TRANSPORT OFFICER AND REGISTERING AUTHORITY,
COIMBATORE.

R1 BY GOVERNMENT PLEADER SRI. K.P. PRADEEP

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ORDER ON CMP 50534 OF 2000 IN OP 29826 OF 2000

DISMISSED

14.11.2007 SD/-C.N.RAMACHANDRAN NAIR, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE NOTICE NO. ET.101/99-2000 DATED 31.7.2000 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.

EXT.P2 TRUE COPY OF THE SUMMONS NO. ET.101/99-2000 DATED 31.7.2000 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.

EXT.P3 TRUE COPY OF THE ORDER DATED 11.10.2000 IN CMP 41888/2000 IN OP 24788/2000 OF THIS HON'BLE COURT.

RESPONDENTS' EXHIBITS:NIL.

TRUE COPY

P.S. TO JUDGE.

C.N. RAMACHANDRAN NAIR, J.

O.P. NO. 29826 OF 2000

Dated this the 14th day of November, 2007

JUDGMENT

Since this Court has declared levy of entry tax as illegal vide decision in THRESSIAMMA L. CHIRAYIL V. STATE OF KERALA, (2007) 1 K.L.T. 303, this O.P. is allowed quashing the impugned proceedings. However, since Government Pleader submitted that SLP is pending in the Supreme Court, respondents are free to raise demand again for entry tax if appeal is allowed by the Supreme Court.

(C.N. RAMACHANDRAN NAIR)
Judge